

**REMARKS**

**I. Interview Summary**

Applicants acknowledge with appreciation the time and cooperation extended by the Examiner in granting a telephone interview with Applicants' representative on July 28, 2009. During the interview, the issues raised in the Final Office Action mailed May 8, 2009, were discussed, and the substance of the interview is included in the remarks below. Prior to the interview, Applicants' representative provided an exemplary independent claim similar to the independent claims presented herein. During the interview, the Examiner indicated that the exemplary claim would receive favorable consideration.

**II. Status of Claims**

In the Final Office Action mailed May 8, 2009, the Examiner took the following actions:

rejected claims 1-7 and 10-17 under 35 U.S.C. § 101;  
rejected claims 1-7 and 10-17 under 112, first paragraph;  
rejected claims 1-7 and 10-17 under 35 U.S.C. § 112, second paragraph; and  
rejected claims 1-7 and 10-17 under 35 U.S.C. § 103(a) as being unpatentable over screenshots of the Realtor Workstation product ("RWS") in view of Metropolitan Regional Information Systems ("MRIS") and *Leclerc et al.* (U.S. Patent No. 6,834,120).

By this Amendment, Applicants cancel claims 1-7 and 10-17, without prejudice or disclaimer and expressly without acceding to any of the grounds of rejection in the Final Office Action. In addition, Applicants present new claims 18-41.

**III. Rejection of Claims 1-7 and 10-17 under 35 U.S.C. § 101**

Applicants have canceled claims 1-7 and 10-17, rendering the rejection moot. Applicants simply note that new claims 18-35 recite statutory subject matter.

**IV. Rejection of Claims 1-7 and 10-17 under 35 U.S.C. § 112, First Paragraph**

As claims 1-7 and 10-17 are canceled, the rejection is moot. Nevertheless, Applicants respectfully traverse.

The Final Office Action alleges that the specification does not support "providing, based on a model, an indication of a likelihood that an appraisal value for a property, which is secured by a mortgage loan, was faulty just by using a past date and the appraisal value as of that past date without some other data to make the comparison" (Office Action at page 6). However, canceled independent claim 1 recited "determining a score ... that provides [an] indication of the likelihood that the appraisal value was faulty on the past date" (emphasis added). Moreover, support for these recitations can be found at least in paragraphs 76-81 of Applicants' originally-filed specification.

**V. Rejection of Claims 1-7 and 10-17 under 35 U.S.C. § 112, First Paragraph**

As claims 1-7 and 10-17 are canceled, the rejection is moot.

**VI. Rejection of Claims 1-7 and 10-17 under 35 U.S.C. § 103(a)**

Claims 1-7 and 10-17 have been canceled, rendering the rejection moot with respect to these claims. Nevertheless, to the extent that *RWS*, *MRIS*, or *Leclerc* could be applied to the new claims presented herein, Applicants submit the following remarks.

New independent claim 18 recites a method comprising, among other things, "receiving a request for an automated value estimate of a property as of a specified previous time period, the request identifying the property and the specified previous

time period ... [and] providing, in response to the request, the automated value estimate of the property as of the specified previous time period," as recited by new claim 18 (emphases added).

*RWS* includes a snapshot of "Matching Listings," and the listings include a "List Price" for a number of different properties (*RWS*, page 19). However, the prices reflected in *RWS* are not "automated value estimates" as of a previous time period, but merely asking prices for a particular property. Moreover, *RWS* does not teach or suggest receiving a request identifying a time period for which a value of the listings is requested. Accordingly, *RWS* does not teach or suggest "receiving a request for an automated value estimate of a property as of a specified previous time period, the request identifying the property and the specified previous time period ... [and] providing, in response to the request, the automated value estimate of the property as of the specified previous time period," as recited by new independent claim 18 (emphases added).

*MRIS* fails to cure these deficiencies of *RWS*. *MRIS* discloses certain data for real estate listings, for example a property at 42857 Chesterton Street (*MRIS*, page 2). *MRIS* also discloses a list price for 42857 Chesterton Street of \$229,900, a close price of \$225,000, and a close date of July 3, 1998 (*Id.*). However, neither the list price nor the close price of the 42857 Chesterton Street is an "automated value estimate" of the property. Moreover, the list and close prices do not reflect prices as of a previous time period identified by a request. Rather, the list price is simply the asking price, and the close price is simply the price at which the property sold on the closing date. *MRIS* does not disclose or suggest, for example, that the user identifies a date, or that *MRIS*

provides a value for 42857 Chesterton Street as of a specified previous time period. Accordingly, *MR/S* does not teach or suggest “receiving a request for an automated value estimate of a property as of a specified previous time period, the request identifying the property and the specified previous time period ... [and] providing, in response to the request, the automated value estimate of the property as of the specified previous time period,” as recited by new independent claim 18 (emphases added).

*Leclerc* discloses a method for measuring the accuracy of algorithms by comparing the outputs of algorithms (*Leclerc*, abstract). However, *Leclerc* does not teach or suggest “receiving a request for an automated value estimate of a property as of a specified previous time period, the request identifying the property and the specified previous time period ... [and] providing, in response to the request, the automated value estimate of the property as of the specified previous time period,” as recited by new independent claim 18 (emphases added).

Although of different scope from independent claim 18, independent claims 24 and 30 are distinguishable from the cited references for similar reasons as discussed above with respect to independent claim 18. Claims 19-23 depend from claim 18, claims 25-29 depend from claim 24, and claims 31-35 depend from claim 30. These claims are allowable at least by reason of their dependence, as well as by reason of reciting additional features not taught or suggested by the cited references.

New claims 36-41 are also allowable over the art of record. New claim 36, for example, recites “categorizing, using a computing platform, the loan into a high risk category when the property estimate exceeds the automated value estimate by at least

the threshold amount,” and these recitations are not taught or suggested by the art of record. New claims 37 and 38, although of different scope, are allowable at least for similar reasons as new claim 36.

New claim 39, for example, recites “generating, using a computing platform, a score reflecting whether the property estimate accurately reflected the value of the property as of the time period when the property estimate was performed, the score being generated based on a relationship between the property estimate and the automated value estimate; and categorizing the loan into one of the risk categories based on the score.” These recitations are not taught or suggested by the art of record. New claims 40 and 41, although of different scope, are allowable at least for similar reasons as new claim 39.

**VII. Conclusion**

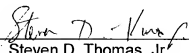
In view of the foregoing remarks, Applicants respectfully request reconsideration of the application and withdrawal of the rejections. The pending claims are in condition for allowance.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: September 10, 2009

By:   
Steven D. Thomas, Jr.  
Reg. No. 64,421  
telephone: 202.408.4112